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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,968	02/22/2006	Nozomu Okuzawa	286173US6PCT	8874
22850 7590 11/05/2007 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER BROMELL, ALEXANDRIA Y	
			ART UNIT 2169	PAPER NUMBER
			NOTIFICATION DATE 11/05/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
oblonpat@oblon.com  
jgardner@oblon.com

## Office Action Summary

Application No.

10/568,968

Applicant(s)

OKUZAWA, NOZOMU

Examiner

Alexandria Y. Bromell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This Office Action is in response to Applicant's application 10/568,968, filed 2/22/06. Claims 1-20, which are currently pending, are considered below.

#### ***Priority***

2. This is a 371 of PCT/JP/04/13720, dated 9/14/04, which claims priority to Japan 2003-335990, filed 9/26/03.

#### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on 5/17/06 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Wilens (U.S. Patent 7092952).

With respect to claim 1, Wilens teaches reception means for receiving first taste information that represents the taste of a user from a terminal apparatus of the user (i.e. subscriber registers and stores personal profile, which is received and stored in

database, column 2, lines 59-61), storage means for storing the plurality of taste information that represent respectively the tastes of a plurality of other users (i.e. database stores user profiles which have preferences from many subscribers, claim 1), search means for searching for second taste information having a resemblance to the first taste information from the plurality of taste information stored in the storage means (i.e. users can search to match themselves with other users, column 9, lines 31-50, and users are matched based on their personal tastes and preferences, column 3, lines 9-15), and transmission means for transmitting at least attribute information of the other users that correspond to the second taste information to the terminal apparatus of the user (i.e. computer system transmits information about users taste, which may be biographical information, or information about personal preference, column 2, lines 66-67, and column 3, line 1).

With respect to claim 2, Wilens teaches the transmission means transmits at least group information that represents groups that the other users belong to and corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. group creator may set the number of group members, who are matched to join the group by specific criteria or attributes, column 6, lines 29-39).

With respect to claim 3, Wilens teaches the reception means receives a part of the first taste information that represents the taste of the user from the terminal apparatus of the user as search key information (i.e. when user sets up profile, they input personal information and preferences that are used as search keys for the system, column 8, lines 38-51), the search means searches for taste information including the

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search key information from the plurality of taste information stored in the storage means as the second taste information having a resemblance to the first taste information (i.e. in order to match taste information or create a group, preferences, or stored search keys are compared, column 8, lines 38-51, and column 9, lines 1-10), and the transmission means transmits at least group information that represents groups that the other users belong to and corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. information is transmitted on the computer about the groups that a user belongs to, and other groups that are available based on user preferences, column 8, lines 38-51).

With respect to claim 4, Wilens teaches the transmission means transmits at least the second taste information and group information that represents groups that the other users belong to and corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. group members have similar specified preferences, or tastes, which determine if the user has been admitted to the group, column 9, lines 31-36).

With respect to claim 5, Wilens teaches the reception means receives a part of the first taste information that represents the taste of the user from the terminal apparatus of the user as search key information (i.e. when user sets up profile, they input personal information and preferences that are used as search keys for the system, column 8, lines 38-51), the search means searches for taste information including the search key information from the plurality of taste information stored in the storage means as the second taste information having a resemblance to the first taste

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information (i.e. in order to match taste information or create a group, preferences, or stored search keys are compared, column 8, lines 38-51, and column 9, lines 1-10), and the transmission means transmits at least the second taste information and group information that represents groups that the other Users belong to and corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. information is transmitted on the computer about the groups that a user belongs to, and other groups that are available based on user preferences, column 8, lines 38-51).

With respect to claim 6, Wilens teaches transmission means for transmitting first taste information that represents the taste of a user to a predetermined apparatus that stores the plurality of taste information that represent respectively the tastes of a plurality of other users (i.e. user accesses database that has profiles of other users stored, claim 1), and reception means for receiving attribute information of the other users that correspond to the second taste information, the attribute information being information that the predetermined apparatus that has received the first taste information at least transmits after searching for second taste information having a resemblance to the first taste information from the plurality of taste information stored therein (i.e. when users set up their profiles, they specify their preferences, or tastes, which allow the users to gain membership to a group, column 8, lines 38-67).

With respect to claim 7, Wilens teaches the reception means receives group information that represents groups that the other users belong to and corresponds to the second taste information as the attribute information, the group information being

information that the predetermined apparatus that has received the first taste information at least transmits after searching for second taste information having a resemblance to the first taste information from the plurality of taste information stored therein (i.e. users specify personal preferences or tastes in their profile, and are matched with groups that have the same characteristic requirements, column 8, line 38 – column 9, line 10).

With respect to claim 8, Wilens teaches the transmission means transmits a part of the first taste information that represents the taste of the user as search key information to the predetermined apparatus that stores the plurality of taste information that represent respectively the tastes of a plurality of other users (i.e. users set specific keys, or preferences, that are stored in the computer database, column 9, lines 1-10), and the reception means receives group information that represents groups that the other users belong to and corresponds to the second taste information as the attribute information, the group information being information that the predetermined apparatus that has received the search key information at least transmits after searching for taste information including the search key information from the plurality of taste information stored therein as the second taste information having a resemblance to the first taste information (i.e. members are admitted to a group if they have similar tastes, or preferences, and computer database receives specific preferences in order to match individual users with a group, column 6, lines 8-67).

With respect to claim 9, Wilens teaches the reception means receives second taste information and group information that represents groups that the other users

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belong to and corresponds to the second taste information as the attribute information, the second taste information and group information being information that the predetermined apparatus that has received the first taste information at least transmits after searching for second taste information having a resemblance to the first taste information from the plurality of taste information stored therein (i.e. users are added to groups when their preferences, or tastes fit the matching criteria for group membership, column 7, lines 25-46).

With respect to claim 10, Wilens teaches the transmission means transmits a part of the first taste information that represents the taste of the user as search key information to the predetermined apparatus that stores the plurality of taste information that represent respectively the tastes of a plurality of other users (i.e. user key specifies user preferences and tastes, column 9, lines 1-10), and the reception means receives second taste information and group information that represents groups that the other users belong to and corresponds to the second taste information as the attribute information, the second taste information and group information being information that the predetermined apparatus that has received the search key information at least transmits after searching for taste information including the search key information from the plurality of taste information stored therein as the second taste information having a resemblance to the first taste information (i.e. users input their personal profiles with preferences and tastes, and groups are created to match users with similar tastes, column 8, line 38- column 9, line 10).



With respect to claim 11, Wilens teaches a reception step of receiving first taste information that represents the taste of a user from a terminal apparatus of the user (i.e. subscriber registers and stores personal profile in database, column 2, lines 59-61), a search step of searching for second taste information having a resemblance to the first taste information from a plurality of taste information of other users stored in predetermined storage means (i.e. users can search to match themselves with other users, column 9, lines 31-50, and users are matched based on their personal tastes and preferences, column 3, lines 9-15, and database stores profiles from many subscribers, claim 1), and a transmission step of transmitting at least attribute information of the other users that corresponds to the second taste information to the terminal apparatus of the user (i.e. users taste may be biographical information, or information about personal preference, column 2, lines 66-67, and column 3, line 1).

With respect to claim 12, Wilens teaches the transmission step transmits at least group information that represents groups that the other users belong to and corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. group creator may set the number of group members, who are matched to join the group by specific criteria or attributes, column 6, lines 29-39).

With respect to claim 13, Wilens teaches the reception step receives a part of the first taste information that represents the taste of the user from the terminal apparatus of the user as search key information (i.e. when user sets up profile, they input personal information and preferences that are used as search keys for the system, column 8, lines 38-51), the search step searches for taste information including the search key

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information from the plurality of taste information of the other users stored in the predetermined storage means as the second taste information having a resemblance to the first taste information (i.e. in order to match taste information or create a group, preferences, or stored search keys are compared, column 8, lines 38-51, and column 9, lines 1-10), and the transmission step transmits at least group information that represents groups that the other users belong to and corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. information is transmitted on the computer about the groups that a user belongs to, and other groups that are available based on user preferences, column 8, lines 38-51).

With respect to claim 14, Wilens teaches the transmission step transmits at least the second taste information and group information that represents groups that the other users belong to and corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. group members have similar specified preferences, or tastes, which determine if the user has been admitted to the group, column 9, lines 31-36).

With respect to claim 15, Wilens teaches the reception step receives a part of the first taste information that represents the taste of the user from the terminal apparatus of the user as search key information (i.e. when user sets up profile, they input personal information and preferences that are used as search keys for the system, column 8, lines 38-51), the search step searches for taste information including the search key information from the plurality of taste information of the other users stored in the predetermined storage means as the second taste information having a

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resemblance to the first taste information (i.e. in order to match taste information or create a group, preferences, or stored search keys are compared, column 8, lines 38-51, and column 9, lines 1-10), and the transmission step transmits at least the second taste information and group information that represents groups that the other users belong to and corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. information is transmitted on the computer about the groups that a user belongs to, and other groups that are available based on user preferences, column 8, lines 38-51).

With respect to claim 16, Wilens teaches a transmission step of transmitting first taste information that represents the taste of a user to a predetermined apparatus that stores the plurality of taste information that represent respectively the tastes of a plurality of other users (i.e. user accesses database that has profiles of other users stored, claim 1), and a reception step of receiving attribute information of the other users that corresponds to the second taste information, the attribute information being information that the predetermined apparatus that has received the first taste information at least transmits after searching for second taste information having a resemblance to the first taste information from the plurality of taste information stored therein (i.e. when users set up their profiles, they specify their preferences, or tastes, which allow the users to gain membership to a group, column 8, lines 38-67).

With respect to claim 17, Wilens teaches the reception step receives group information that represents groups that the other users belong to and corresponds to the second taste information as the attribute information, the group information being

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information that the predetermined apparatus that has received the first taste information at least transmits after searching for second taste information having a resemblance to the first taste information from the plurality of taste information stored therein (i.e. users specify personal preferences or tastes in their profile, and are matched with groups that have the same characteristic requirements, column 8, line 38 – column 9, line 10).

With respect to claim 18, Wilens teaches the transmission step transmits a part of the first taste information that represents the taste of the user as search key information to the predetermined apparatus that stores the plurality of taste information that represent respectively the tastes of a plurality of other users (i.e. users set specific keys, or preferences, that are stored in the computer database, column 9, lines 1-10), and the reception step receives group information that represents groups that the other users belong to and corresponds to the second taste information as the attribute information, the group information being information that the predetermined apparatus that has received the search key information at least transmits after searching for taste information including the search key information from the plurality of taste information stored therein as the second taste information having a resemblance to the first taste information (i.e. members are admitted to a group if they have similar tastes, or preferences, and computer database receives specific preferences in order to match individual users with a group, column 6, lines 8-67).

With respect to claim 19, Wilens teaches the reception step receives second taste information and group information that represents groups that the other users

belong to and corresponds to the second taste information as the attribute information, the second taste information and group information being information that the predetermined apparatus that has received the first taste information at least transmits after searching for second taste information having a resemblance to the first taste information from the plurality of taste information stored therein (i.e. users are added to groups when their preferences, or tastes fit the matching criteria for group membership, column 7, lines 25-46).

With respect to claim 20, Wilens teaches the transmission step transmits a part of the first taste information that represents the taste of the user as search key information to the predetermined apparatus that stores the plurality of taste information that represent respectively the tastes of a plurality of other users (i.e. user key specifies user preferences and tastes, column 9, lines 1-10), and the reception step receives second taste information and group information that represents groups that the other users belong to and corresponds to the second taste information as the attribute information, the second taste information and group information being information that the predetermined apparatus that has received the search key information at least transmits after searching for taste information including the search key information from the plurality of taste information stored there in as the second taste information having a resemblance to the first taste information (i.e. users input their personal profiles with preferences and tastes, and groups are created to match users with similar tastes, column 8, line 38- column 9, line 10).

**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexandria Y. Bromell whose telephone number is 571-270-3034. The examiner can normally be reached on M-R 6:30-5.

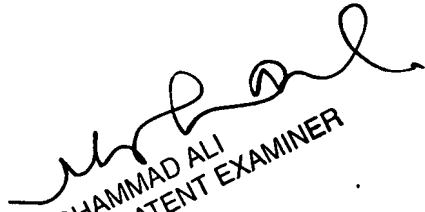
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ali can be reached on 571-272-4105. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AYB

October 25, 2007

Alexandria Y Bromell  
Examiner  
Art Unit 2169

  
MOHAMMAD ALI  
SUPERVISORY PATENT EXAMINER